

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Lauri M. Traub	{	Case No. _____
Plaintiff, v.		
City of Saint Paul, City of Saint Paul Park, City of Hastings, City of Farmington, City of Burnsville, County of Aitkin, County of Dakota, County of Sherburne and John Does 1-8.	{	COMPLAINT
Defendants.		JURY DEMANDED

Pursuant to Fed. R. Civ. P. 8(a) Lauri M. Traub, Plaintiff, states the following for her Complaint:

JURISDICTION

1. This action arises under the Driver's Privacy Protection Act ("DPPA"), 18 U.S.C. § 2724, the Civil Rights Act of 1871, 42 U.S.C. §1983, and Minnesota common law for invasion of privacy. Therefore, this Court has jurisdiction over the federal claims pursuant to 28 U.S.C. §1331 and the state claims pursuant to 28 U.S.C. §1367.

VENUE

2. Venue is proper in the United States District Court for the District of Minnesota pursuant to 28 U.S.C. §1391.

PARTIES

3. Lauri Traub, Plaintiff, is an adult who at all relevant times has resided in the state of Minnesota.

4. Defendant City of Saint Paul is a municipal corporation under Minn. Stat. §466.01.
5. Defendant City of Saint Paul Park is a municipal corporation under Minn. Stat. §466.01.
6. Defendant City of Hastings is a municipal corporation under Minn. Stat. §466.01.
7. Defendant City of Farmington is a municipal corporation under Minn. Stat. §466.01.
8. Defendant City of Burnsville is a municipal corporation under Minn. Stat. §466.01.
9. Defendant County of Aitkin is a municipal corporation under Minn. Stat. §466.01.
10. Defendant County of Dakota is a is a municipal corporation under Minn. Stat. §466.01.
11. Defendant County of Sherburne is a municipal corporation under Minn. Stat. §466.01.
12. Defendants John Doe 1 is an unidentified employee of the City of Saint Paul.
13. Defendants John Doe 2 is an unidentified employee of the City of Saint Paul Park.
14. Defendants John Doe 3 is an unidentified employee of the City of Hastings.
15. Defendants John Doe 4 is an unidentified employee of the City of Farmington.
16. Defendants John Doe 5 is an unidentified employee of the City of Burnsville.
17. Defendants John Doe 6 is an unidentified employee of the County of Aitken.

18. Defendants John Doe 7 is an unidentified employee of the County of Sherburne.
19. Defendants John Doe 8 is an unidentified employee of the County of Dakota.

FACTUAL ALLEGATIONS

20. On or about June 14, 2010, at approximately 7:39 PM, an unidentified employee of the Dakota County Sheriff's Department knowingly obtained Plaintiff's personal information from her Minnesota motor vehicle record.
21. The unidentified Dakota County Sheriff's employee had no lawful purpose for obtaining Plaintiff's motor vehicle record.
22. On or about August 17, 2010, at approximately 8:08 PM, an unidentified employee of the St. Paul Park Police Department knowingly obtained Plaintiff's personal information from her Minnesota motor vehicle record.
23. The unidentified Saint Paul Park Police Department employee had no lawful purpose for obtaining Plaintiff's motor vehicle record.
24. On or about November 16, 2010, at approximately 5:12 PM, an unidentified employee of the Aitkin County Sheriff's Department knowingly obtained Plaintiff's personal information from her Minnesota motor vehicle record.
25. Again, on or about November 27, 2010, at approximately 10:55 AM, an unidentified employee of the Aitkin County Sheriff's Department knowingly obtained Plaintiff's personal information from her Minnesota motor vehicle record.
26. On both occasions the unidentified Aitkin County Sheriff's Department employee(s) had no lawful purpose for obtaining Plaintiff's motor vehicle record.
27. On or about December 1, 2013, at approximately 6:55 AM, an unidentified employee of the Hastings Police Department knowingly obtained Plaintiff's personal information from her

- Minnesota motor vehicle record.
28. On or about December 8, 2010, at approximately 4:43 and 4:44, an unidentified employee of the Hastings Police Department knowingly obtained Plaintiff's personal information from her Minnesota motor vehicle record.
 29. On both occasions the unidentified Hasting employee(s) had no lawful purpose for obtaining Plaintiff's motor vehicle record.
 30. On or about November 25, 2010, at approximately 3:40 PM, an unidentified employee of the Burnsville Police Department knowingly obtained Plaintiff's personal information from her Minnesota motor vehicle record.
 31. The unidentified Burnsville Police Department employee had no lawful purpose for obtaining Plaintiff's motor vehicle record.
 32. On or about July 18, 2012, at approximately 10:35 AM, an unidentified employee of the Saint Paul Police Department knowingly obtained Plaintiff's personal information from her Minnesota motor vehicle record.
 33. The unidentified Saint Paul Police Department employee had no lawful purpose for obtaining Plaintiff's motor vehicle record.
 34. On or about July 19, 2012, at approximately 4:03 PM, an unidentified employee of the Sherburne County Sheriff's Office knowingly obtained Plaintiff's personal information from her Minnesota motor vehicle record.
 35. The unidentified Sherburne County Sheriff's Department employee had no lawful purpose for obtaining Plaintiff's motor vehicle record.
 36. On or about November 21, 2012, at approximately 11:49 AM, an unidentified employee of the Farmington Police Department knowingly obtained Plaintiff's personal information from her Minnesota motor vehicle record.

37. Again, on or about November 21, 2012, at approximately 11:50 AM, an unidentified employee of the Farmington Police Department knowingly obtained Plaintiff's personal information from her Minnesota motor vehicle record.
38. On or about July 19, 2012, at approximately 4:03 PM, an unidentified employee of the Farmington Police Department knowingly obtained Plaintiff's personal information from her Minnesota motor vehicle record.
39. The unidentified Farmington Police Department employee(s) had no lawful purpose for obtaining Plaintiff's motor vehicle record.

CLAIMS FOR RELIEF

COUNT ONE

VIOLATION OF THE DRIVERS' PRIVACY PROTECTION ACT

40. Plaintiff re-alleges the preceding allegations and incorporates those allegations herein by reference.
41. The DPPA prohibited the defendant's employees from obtaining the information on Plaintiff's driver's license without a legitimate government purpose.
42. The defendant's employees violated the DPPA when they obtained Plaintiff's driver's license without a legitimate government purpose.
43. The municipal Defendants are vicariously liable for the acts of its employees.

COUNT TWO
INVASION OF PRIVACY

44. Plaintiff re-alleges the allegations of the preceding paragraphs and incorporates those allegations herein by reference.

45. Since 1998, the Minnesota Supreme Court has recognized the common law action for invasion of privacy. (*Lake v. Wal-Mart Stores, Inc.*, 582 N.W.2d 231, 233 (Minn. 1998)).
46. The unidentified employees of the municipal defendants invaded Plaintiff's privacy when it obtained information from her drivers license without a lawful purpose.
47. As an actual and proximate result of the defendants employees' conduct, plaintiff has been injured and suffered damages, which amount shall be determined at trial.

PRAYER FOR RELIEF

Wherefore, Plaintiff prays for relief against the Defendants as follows:

48. For redress of all loss, harm, and injuries that resulted from the Defendants' unconstitutional acts.
49. For interest, where appropriate, on damages awarded.
50. Award such other relief as the Court deems just and equitable.

Dated: November 4, 2013 Respectfully Submitted

s// A.L. Brown

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